

**NEWFOUNDLAND AND LABRADOR  
REGULATION 14/00**

Chicken Farmers of Newfoundland and Labrador Quota Regulations  
under the  
Newfoundland and Labrador Chicken Marketing Scheme  
and  
Natural Products Marketing Act

Amended by:

2001 c42 s45  
5/08

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Chicken Farmers of Newfoundland and Labrador Quota Regulations  
under the  
Newfoundland and Labrador Chicken Marketing Scheme  
and  
Natural Products Marketing Act

2001 c42 s45; 5/08 s1

(Filed March 9, 2000 )

Under the authority of the Newfoundland and Labrador Chicken Marketing Scheme and the Natural Products Marketing Act , the Newfoundland and Labrador Chicken Marketing Board makes the following regulations.

2001 c42 s45

Dated at St. John's , March 9, 2000 .

Christa Legge  
Secretary-Manager  
Newfoundland and Labrador Chicken Marketing Board

2001 c42 s45

**REGULATIONS**

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#### Short title

1. These regulations may be cited as the Chicken Farmers of Newfoundland and Labrador Quota Regulations .

5/08 s1

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#### Definitions

2. In these regulations

(a) "chicken" means a live chicken 6 months of age or less produced from the egg of a domestic hen and which has not been raised for egg production;

(b) "commodity board" means the Chicken Farmers of Newfoundland and Labrador created by the Newfoundland and Labrador Chicken Marketing Scheme under the authority of the Natural Products Marketing Act ;

(c) "contract grower" means a person who enters into an agreement with a producer who holds a production licence to raise and grow chicken for marketing to that production licence holder;

(d) "producer" means a person engaged in the raising or growing of chicken for commercial use and having a raising or growing capacity of 45 square metres or more;

(e) "production licence" means a licence issued by the commodity board to a producer with the assent of the minister authorizing the producer to engage in the raising and growing of a specified amount of quota in the province for commercial use, or enters into an agreement with a contract grower to produce the same;

(f) "production quota" means the number of kilograms in live weight of chicken that a producer may produce in the province and market in intra-provincial, interprovincial or export trade during a specified period of time under a production licence; and

(g) "quota" means quota issued to the province as represented by the Crown under the federal-provincial scheme and agreement for the supply management for chicken to which the province is a party and under which the province as represented by the minister has the authority under the Natural Products Marketing Act to make provision under the Newfoundland and Labrador Chicken Marketing Scheme for the allotment of chicken production privileges in the province by one or more producers.

14/00 s2; 2001 c42 s45; 5/08 s2

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Restriction

3. A person shall not engage in the raising and growing of chicken for commercial use in the province unless the commodity board has issued to him or her a registration number and a production licence, or he or she is a contract grower.

14/00 s3

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Effective period

4. A production licence shall remain in force for the period specified on it unless revoked earlier.

14/00 s4

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Production quota

5. The production quota referenced on a production licence shall be the total number of kilograms of chicken, live weight, which a producer is entitled to grow and raise in the province.

14/00 s5

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#### Marketing restrictions

6. (1) A person, unless he or she is a producer who owns less than 100 chicken or is a contract grower, shall not market chicken in the province unless a production licence has been issued to him or her by the commodity board.

(2) A producer shall not market chicken in inter-provincial trade unless a production licence has been issued to him or her by the commodity board.

14/00 s6

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#### Production licence and quota

7. (1) A production licence only confers on a producer a licence to produce or to have produced by a contract grower, chicken to the extent of the production quota shown on that licence in accordance with the Newfoundland and Labrador Chicken Marketing Scheme and any orders or regulations made with respect to the production and marketing of chicken by the minister or the commodity board and the terms and conditions of a production licence imposed by a commodity board upon a producer.

(2) Ownership of quota shall at all times remain with the minister.

14/00 s7; 2001 c42 s45

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#### Priority of producers

8. A producer holding an existing production licence will be offered access to and use of any increased production quota resulting from any new quota before a production licence in respect of that increase in production quota is offered to a new producer.

14/00 s8

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#### Approval required

9. Quota, or an interest in quota or production quota or an interest in production quota or a production licence may not be mortgaged, charged, encumbered, transferred, or assigned by a person, including a producer holding a production licence, to another person without the prior written approval of the commodity board and the minister.

14/00 s9

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#### Refusal of transfer

10. The commodity board may refuse to approve the transfer of a production licence or production quota upon the sale of production facilities where those facilities are, in the opinion of the commodity board, not adequate for the continued regular or normal production or marketing of chicken.

14/00 s10

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Cancellation of transferred quota

11. Where a transfer of a production quota or an interest in production quota or a production licence takes place without the prior written approval of the commodity board and the minister, the commodity board may cancel the production quota or an interest in production quota or the production licence so transferred, and that production quota, or interest in production quota, or the production privileges associated with that production licence, once cancelled shall revert to the commodity board.

14/00 s11

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Reissuance of quota

12. Where a production quota, or interest in production quota, or the production privileges associated with a production licence reverts to the commodity board, the commodity board may subsequently reissue a production licence in respect of that production quota to a new or existing producer on those terms and conditions that the commodity board considers to be reasonable that do not conflict with the Newfoundland and Labrador Chicken Marketing Scheme or an existing Order or regulation of the minister or the commodity board.

14/00 s12; 2001 c42 s45

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Inspection of premises

13. The commodity board and its authorized representatives may visit and inspect a producer's premises and carry out those inspections and investigations that are necessary to verify compliance with this order.

14/00 s13

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Cancellation of quota

14. (1) If a producer who holds a production licence:

(a) fails to submit to the commodity board at the end of each month a report on chicken produced and marketed, including chicken produced and marketed by a contract grower;

(b) fails to produce and market in a volume consistent with the production quota shown on his or her production licence; or

(c) violates another provision of the regulations

his or her quota may be cancelled.

(2) Quota cancelled under subsection (1) shall revert to the commodity board.

14/00 s14

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Review of regulations

15. The commodity board may review these regulations at regular meetings of the commodity board to determine whether or not changes or modifications are required.

14/00 s15

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CNR 1174/96 Rep.

16. The Newfoundland Chicken Marketing Board Quota Regulations , Consolidated Newfoundland Regulation 1174/96, are repealed.

14/00 s16

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